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7 James V. Mitchell, Harry Hodges, and
Darren Johnston
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 LAKEVIEW INVESTMENTS, LP, on
Behalf of Itself and All Other Similarly
12 Situated Individuals and Entities
Located in California,

13 Plaintiffs,
14

15 v.

16 ROBERT SCHULMAN, JAMES V.
MITCHELL, HARRY HODGES,
DARREN JOHNSTON, STUART
17 POLOGE, PATRICK KELLY,
TREMONT PARTNERS, INC.,
18 TREMONT GROUP HOLDINGS INC.,
RYE SELECT BROAD MARKET XL
19 FUND, L.P., RYE SELECT BROAD
MARKET FUND, L.P f/k/a
20 AMERICAN MASTERS BROAD
MARKET FUND, L.P.,
21 MASSACHUSETTS MUTUAL LIFE
INSURANCE CO., OPPENHEIMER
22 ACQUISITION CORP.,
MASSMUTUAL LIFE INSURANCE
23 CO., and DOES 1-50,

24 Defendants.
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Case No. CV-11-1025-EMC

JOINT STIPULATION SETTING A
SCHEDULE FOR PRELIMINARY
BRIEFING AND STAYING
DEFENDANTS' RESPONSE TO THE
COMPLAINT AND [PROPOSED]
ORDER

STIPULATION

This Stipulation is entered into by and between Plaintiff Lakeview Investment, LP ("Lakeview") and Defendants Tremont Partners, Inc., Tremont Group Holdings, Inc., Massachusetts Mutual Life Insurance Company, Oppenheimer Acquisition Corp., Inc., Rye Select Broad Market XL Fund, L.P., Rye Select Broad Market Fund, L.P f/k/a American Masters Broad Market Fund, L.P., Robert Schulman, James V. Mitchell, Harry Hodges, Darren Johnston (collectively, "Defendants").

WHEREAS, On December 10, 2011, Plaintiff filed its Complaint in the Superior Court of the State of California, County of Marin ("Superior Court"), under Index No. CIV1006488 (the "State Court Action") naming six individuals and six financial services firms as Defendants;

WHEREAS, On March 4, 2011, Defendants (with the consent of unserved defendants Stuart Pologe and Patrick Kelly) removed this action to this Court on the grounds that this action is precluded by the Securities Litigation Uniform Standard Act of 1998 ("SLUSA"), 15 U.S.C. § 78bb et seq;

WHEREAS, the parties desire to resolve Plaintiff's forthcoming motion to remand prior to briefing substantive issues concerning the pleadings;

NOW, THEREFORE, the parties, through their undersigned counsel, stipulate and agree as follows, subject to the Court's approval:

The parties propose that the Court stay Defendants' obligation to respond to the Complaint, including motions challenging the sufficiency of the complaint and personal jurisdiction over the defendants in the State of California, until after the Court has ruled on the motion to remand. The parties further propose that the Court adopt the following schedule for preliminary briefing:

- April 11, 2011 – Plaintiff's files remand and related motion papers
- May 2, 2011 – Opposition briefs due
- May 9, 2011 – Reply briefs due

1 • Monday May 23, 2011, 9:30 a.m. (or on such date thereafter as
2 convenient to the Court) – Hearing on motions filed on the schedule set forth above

3 The signing of this Stipulation is not a waiver of personal jurisdiction defenses
4 or a submission to personal jurisdiction within the State of California. The signing
5 of this Stipulation is not intended and should not be construed as an acknowledgment
6 or admission concerning the merit of any claim or defense, or the existence of federal
7 jurisdiction in this action.

8 IT IS SO STIPULATED

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10 DATED: March 9, 2011

11
12 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

13
14 By: Eric S. Waxman / KL
Eric S. Waxman
Attorneys for Defendants
15 Tremont Partners, Inc., Tremont Group Holdings Inc.,
16 Robert Schulman, James V. Mitchell, Harry Hodges,
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Rye Select Broad Market Prime Fund, L.P. f/k/a Rye
Select Broad Market XL Fund, L.P., Rye Select Broad
Market Fund, L.P f/k/a American Masters Broad Market
Fund, L.P.

1 DATED: March 9, 2011
2

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7 By: Benjamin Rozwood
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[PROPOSED] ORDER

The Court, having considered the above stipulation, and good cause appearing therefor, HEREBY ORDERS as follows:

1. Defendants' obligation to answer the complaint, including filing motions challenging the sufficiency of the complaint and personal jurisdiction over the defendants in the State of California, shall be stayed until after the Court rules on Plaintiff's motion to remand.

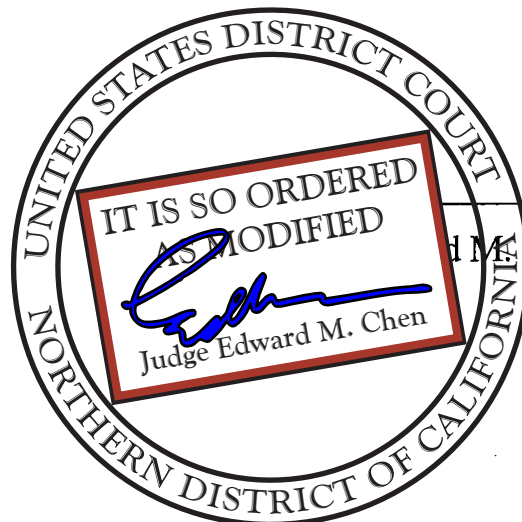
2. The briefing and hearing schedule for Plaintiff's motion to remand shall be as follows:

The Court adopts the following schedule for preliminary briefing:

- April 11, 2011 – Plaintiff's files remand and related motion papers
- May 2, 2011 – Opposition briefs due
- May 9, 2011 – Reply briefs due
Wednesday May 25, 2011 3:00 p.m.
- ~~Monday May 23, 2011, 9:30 a.m.~~ (or on such date thereafter as convenient to the Court) – Hearing on motions filed on the schedule set forth above

IT IS SO ORDERED.

DATED: 3/10, 2011



Edward M. Chen

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 300 South Grand Avenue, Suite 3400, Los Angeles, California 90071

On March 9, 2011, I served the foregoing documents described as:

1) JOINT STIPULATION SETTING A SCHEDULE FOR PRELIMINARY BRIEFING AND STAYING DEFENDANTS' RESPONSE TO THE COMPLAINT AND [PROPOSED] ORDER

on the interested parties in this action by placing a true copy thereon enclosed in sealed envelopes addressed as follows:

SEE ATTACHED LIST

☒ (E-SERVICE) (to registered parties)

☒ (BY FEDERAL EXPRESS – AS NOTED)

☒ (BY US MAIL – AS NOTED) I am readily familiar with the firms' practice for the collection and processing of correspondence for mailing with the United States Postal Service and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business; on this date, the above-referenced correspondence was placed for deposit at Los Angeles, California and placed for collection and mailing following ordinary business practices.

☒ I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 9, 2011 at Los Angeles, California.

Al Chua
PRINT NAME

SIGNATURE

Service List

<p>S. Benjamin Rozwod 503 N. Linden Drive Beverly Hills, CA 90210 Telephone: (310) 246-1451</p> <p>Attorney for Plaintiff Lakeview Investments, LP</p> <p>[By FedEx and Mail]</p>	<p>Brian J. Robbins, Esq. Robbins Umeda LLP 600 B Street, Suite 1900 San Diego, CA 92101 Telephone: (619) 525-3990 Facsimile: (619) 525-3991 email: brobbins@robbinsumeda.com</p> <p>Attorney for Plaintiff Lakeview Investments, LP</p> <p>[By E-Service]</p>
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